

Prob 12B
(7/93)

UNITED STATES DISTRICT COURT

for the

District of Nebraska

FILED
U.S. DISTRICT COURT
OF NEBRASKA
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OFFICE OF THE CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Michael Munoz **Docket Number:** 8:05CR310
Sentencing Judge: The Honorable Joseph F. Bataillon
Chief U.S. District Judge
Date of Original Sentence: January 18, 2006
Original Offense: Conspiracy to Forge Endorsements on United States Treasury
Checks 18 U.S.C. 371
Original Sentence: 6 months custody; 3 years supervised release
Type of Supervision: Supervised release
Date Supervision Commenced: January 18, 2006

PETITIONING THE COURT

 To extend the term of supervision for _____, for a total term of _____

 X To modify the conditions of supervision as follows:

You shall participate in a residential drug treatment program approved by the U.S. Probation Officer for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the defendant has reverted to the use of drugs, and you shall reside in the treatment program until discharged by the program director and Probation Officer.

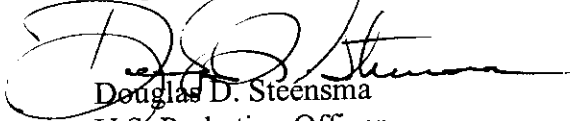
CAUSE

Mr. Munoz is currently being supervised by U.S. Probation Officer M. Nicole Nance from the Central District of California. Mr. Munoz recently admitted use of methamphetamine and has a significant history of substance abuse from the age of 15 until the time of his arrest for the instant offense. Mr. Munoz stated his drug abuse consisted of daily use of marijuana and methamphetamine, and he advised that he had been involved in drug trafficking. Mr. Munoz has

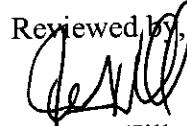
MUNOZ, Michael
Request for Modifying the Conditions
March 10, 2006

a family history of substance abuse. U.S. Probation Officer Nance believes that drug testing and residential substance abuse treatment will provide additional structure to keep Mr. Munoz in compliance with the court order. U.S. Probation Officer Nance has been in contact with the residential drug program Impact, located in Pasadena, California, and the defendant is currently going through the intake process. Until bed space is available at Impact, Mr. Munoz will be placed on their waiting list and participate in the Central District of California's drug aftercare program.

Respectfully submitted,

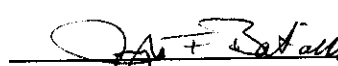

Douglas D. Steensma
U.S. Probation Officer

Reviewed by,


John A. Hill, Supervising
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as noted above
- ☒ The Modification of Conditions as noted above
- ☐ Other


Joseph F. Bataillon
Chief U.S. District Judge

3/13/06
Date

PROB 49
(3/89)

United States District Court

_____ District _____ Nebraska _____

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

3) You shall participate in a residential drug treatment program approved by the U.S. Probation Officer for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the defendant has reverted to the use of drugs, and you shall reside in the treatment program until discharged by the program director and Probation Officer.

Witness _____


Nicole Nance
U.S. Probation Officer

Signed _____

Michael Munoz
Probationer or Supervised Releasee

1-30-06

Date